

## ORPHAN CHILDREN OF COLONEL PHILIP JOHNSTON.

[To accompany Bill H. R. No. 249.]

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MARCH 2, 1860.

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MR. FERRY, from the Committee on Revolutionary Pensions, made the following

### REPORT.

*The Committee on Revolutionary Claims, to whom was referred the petition of the orphan children of Colonel Philip Johnston, report:*

That this claim was favorably reported on the 29th day of May, 1858; that report, with the evidence, has been re-examined, and your committee, concurring entirely with that report, adopt it, and report a bill in all respects the same as the one then reported.

IN THE HOUSE OF REPRESENTATIVES, May 29, 1858.

MR. CLAWSON, from the Committee on Revolutionary claims, made the following report.

*The Committee on Revolutionary Claims, to whom was referred the petition of the heirs of Colonel Philip Johnston, a revolutionary officer, report:*

That, having examined thoroughly into the merits of this claim they find that the said Philip Johnston was, previous to the 27th day of August, A. D. 1776, appointed a colonel in the continental service in the New Jersey line, and that on the said day and year last above mentioned the said Colonel Johnston was engaged with the British forces on Long Island and was killed in the action that day fought between the British and American forces. It appears that the said Colonel Johnston left a widow and several children, and that they became entitled to the benefits of the resolves of Congress of the 15th of May, 1778, and the 24th of August, 1780; and that, by virtue of these resolves of Congress, the said widow was paid, until the orphan child attained the age of eight years, the sum of one thousand six hundred and twelve dollars and sixty-six and two-third cents, leaving

unpaid the sum of one thousand five hundred and thirty-seven dollars and thirty-three cents; and your committee think on this sum the interest should be paid from the date of the last sum, when the United States assumed to pay the first payment, and they report a bill accordingly.

### EXHIBIT A.

*Extract from "List of officers belonging to the continental army who died in the service or who were killed in action previous to the 28th of May, 1778, and to whose widows or orphans seven years' half-pay was granted; taken from the returns of the respective States, on file in the War Office of the United States."*

State.	Name.	Rank.	When killed or died.	Amount paid.
New Jersey-----	Philip Johnston <sup>*</sup> .	Colonel -----	August 27, 1776.	\$1,612 66 $\frac{2}{3}$

<sup>\*</sup>This person was paid until the orphan child attained the age of eight years.—(See American State Papers, Claims, p. 72.)

### EXHIBIT B.

#### ALLEGHANY COUNTY, ss:

I, J. H. Robb, esq., register for the probate of wills and granting letters of administration in and for the county of Alleghany, in the commonwealth of Pennsylvania, to William H. Johnston, administrator of all and singular the goods and chattels, rights and credits which were of Rachael B. Johnston, widow of Colonel Philip Johnston, late of the State of New Jersey, deceased, greeting: Whereas the said Rachael B. Johnston, lately died intestate, (as is affirmed,) having, whilst she lived, and at the time of her decease, divers goods and chattels, rights and credits within the said county, by means whereof the full disposition and power of granting letters of administration thereof is manifestly known to belong to me: I, therefore, desiring that the goods and chattels, rights and credits which were of the same deceased, may be well and truly administered, converted, and disposed of according to law, do hereby grant unto the said William H. Johnston (in whose fidelity I very much confide) full power, by tenor of these presents to administer the goods and chattels, rights and credits which were of the said deceased, within the said county, as also to ask, collect, levy, recover, and receive the credits whatsoever of the said deceased, which, at the time of her death, were owing or did in any way belong to her, and to pay the debts to which the said deceased stood obliged, so far forth as the goods and chattels, rights and credits

will extend, according to the rate and order of law, especially of well and truly administrating the goods and chattels, rights and credits which were of said deceased, and making a true and perfect inventory and conscionable appraisement thereof, and exhibiting the same into the register's office at Pittsburgh, on or before the 28th day of April next ensuing, and also a true and just account, calculation, and reckoning of your administration, upon your solemn oath to render at or before the 28th day of March, in the year of our Lord one thousand eight hundred and fifty-eight, or when legally thereunto required. And I do by these presents, ordain, constitute, and depute you, the said William H. Johnston, administrator of all and singular the goods and chattels, rights and credits which were of the said deceased, within the limits aforesaid, saving harmless and forever indemnifying me and all other officers against all persons by reason of your administration aforesaid, and all others their rights, and to comply with the provisions of an act of assembly of this commonwealth entitled "An act relating to collateral inheritances."

In testimony whereof, I have caused the seal of said office to be hereunto affixed, dated at Pittsburgh, aforesaid, the 28th day of March, in the year of our Lord one thousand eight hundred and fifty-seven.

J. H. ROBB, *Register.*

